

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

GURPREET SINGH,

Petitioner,

v.

STEVE KURZDORFER,
*Director of Batavia Federal Detention
Center,*

Respondent.



25-CV-387 (JLS)
ORDER

Petitioner, Gurpreet Singh, is a civil immigration detainee currently held at the Buffalo Federal Detention Facility. Petitioner claims that he is being detained in United States Immigration and Customs Enforcement custody pending removal proceedings in violation of the United States Constitution. *See generally* 8 U.S.C. § 1231(a)(1) (Attorney General, succeeded by the Secretary of Homeland Security for this purpose, must remove alien within 90 days of final order of removal), (a)(6) (“An alien ordered removed . . . may be detained beyond the [90-day] removal period . . .”); *Zadvydas v. Davis*, 533 U.S. 678, 700-01 (2001) (presumptive limit to reasonable duration of detention under § 1231(a)(6) is six months); *see also* 8 U.S.C. § 1226 (a),(c) (detention of aliens); *Jennings v. Rodriguez*, 138 S. Ct. 830, 851 (2018) (reserving determination of merits of due process arguments regarding extended detention without bond). Therefore, Petitioner seeks relief under 28 U.S.C. § 2241. Dkt. 1. He has paid the \$5.00 filing fee.

IT IS HEREBY ORDERED that within **45 days** of the date of this Order, Respondent shall file and serve an answer responding to the allegations in the Petition; and it is further

ORDERED that within **45 days** of the date of this Order, Respondent shall file and serve, in addition to the answer, a memorandum of law addressing each of the issues raised in the Petition and including citations to supporting authority and applicable sections of the Immigration and Nationality Act; and it is further

ORDERED that within **45 days** of the date of this Order, instead of an answer, Respondent may file a motion to dismiss the Petition, accompanied by appropriate exhibits demonstrating that an answer to the Petition is unnecessary; and it is further

ORDERED that Petitioner shall have **25 days** after his receipt of the Respondent's answer or motion to dismiss to file a written response; and it is further

ORDERED that the Clerk of Court shall serve a copy of the Petition, together with a copy of this Order, electronically via a Notice of Electronic Filing to the United States Attorney's Office, Western District of New York at USANYW-Immigration-Habeas@usdoj.gov.

SO ORDERED.

Dated: May 5, 2025
Buffalo, New York



JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE